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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,462	04/06/2001	Michael Comer	3184	6911
7590	10/21/2004		EXAMINER	
Niro, Scavone, Haller & Niro 181 W. Madison-Suite 4600 Chicago, IL 60602			EBRAHIMI DEHKORDY, SAEID	
			ART UNIT	PAPER NUMBER
			2626	

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/828,462	COMER ET AL.
	Examiner	Art Unit
	Saeid Ebrahimi-dehKordy	2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-9 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 8/6/2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/7/01, 3/22/02</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Venkatraman et al (U.S. Patent 6,170,007) in view of Thielman et al (U.S. patent 6,296,353).

Regarding claim 1 and 9 Venkatraman et al disclose: Internet hardware and software for providing the print engine with Internet connectivity (please note Fig.5 item 10 the printer and the item 100 the internet, also please note Fig.1B the printer comprising web page server item 18 and device –specific hardware and software embedded in the processor, column 4 lines 22-32 and column 4 lines 65-67and column 5 lines 1-3) including a microprocessor communicating with the printer hardware and software (please note Fig.1B items 200 the processor, item 300 the hardware and the software embedded in the processor, column 4 lines 21-29) the microprocessor comprising an embedded Internet server having a valid IP address (please note Figs.1A&B, column 3 lines 21-45). However Venkatraman et al do not disclose: An ink jet print engine with Internet connectivity, comprising: printer hardware and software providing a functioning printer, including a piezoelectric printhead for dispensing ink onto a substrate. On the other hand Thielman et al disclose: An ink jet print engine with Internet connectivity, comprising: printer hardware and software providing a functioning

printer, including a piezoelectric printhead for dispensing ink onto a substrate (please note Fig.1, column 4 lines 43-56).

Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Venkatraman et al's invention according to the teaching of Thielman et al, where Theilman et al in the same field of endeavor teach the way piezoelectric print head is used instead for purpose of making the printer more robust and effective.

Regarding claim 2 Venkatraman et al disclose: The ink jet print engine of claim 1, wherein the printer software stores one or more valid IP addresses of servers corresponding to maintenance or service centers for one or more components of the print engine (please note column 7 lines 8-17 where the address or URL of for example service contract also note column 4 lines 9-20).

Regarding claim 3 Venkatraman et al disclose: The ink jet print engine of claim 1, wherein the microprocessor comprises a chip (please note column 4 lines 65-67 and column 5 lines 1-3).

Regarding claim 4 Venkatraman et al disclose: The ink jet print engine of claim 3, wherein the chip comprises Ethernet MAC and system controllers (please note column 5 lines 1-3).

Regarding claim 5 Venkatraman et al disclose: The inkjet print engine of claim 4, wherein the system controllers include memory, DMA, interrupts and timers. (please note column Fig.1B, column 4 lines 28-31).

Regarding claim 6 Venkatraman et al disclose: The ink jet print engine of claim 3, wherein the chip comprises cache, I/O, real time operating systems, device driver software and communications protocol software. (please note column 4 lines 65-67 and column 5 lines 1-3).

Regarding claim 7 Venkatraman et al disclose: The ink jet print engine of claim 1, wherein the printer comprises integrated networking software (please note column 4 lines 65-67 and column 5 lines 1-3).

Regarding claim 8 Venkatraman et al disclose: The ink jet print engine of claim 1, wherein the microprocessor uses an RTOS operating system (please note column 4 lines 59-64).

Contact Information

- Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number is (703) 306-3487.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached at (703) 305-4863.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Or faxed to:

(703) 872-9306, or (703) 308-9052 (for *formal* communications; please mark

"EXPEDITED PROCEDURE")

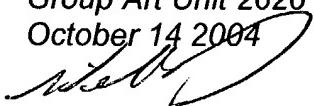
Or:

(703) 306-5406 (for *informal* or *draft* communications, please label
"PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy
Patent Examiner
Group Art Unit 2626
October 14 2004



KW Williams
KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER